

## § 23.1

## 42 CFR Ch. I (10–1–06 Edition)

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**AUTHORITY:** Secs. 333, 338E(c), and 338C(e)(1), Public Health Service Act, 90 Stat. 2272, as amended, 95 Stat. 905, 97 Stat. 1345 (42 U.S.C. 254f *et seq.*), 95 Stat. 912 (42 U.S.C. 254p(c)), 95 Stat. 910 (42 U.S.C. 254n(e)(1)).

**SOURCE:** 45 FR 12790, Feb. 27, 1980, unless otherwise noted.

### Subpart A—Assignment of National Health Service Corps Personnel

#### § 23.1 To what entities does this regulation apply?

This regulation applies to the assignment of National Health Service Corps personnel under section 333 *et seq.* of the Public Health Service Act (42 U.S.C. 254f) to provide health services in or to health manpower shortage areas as designated under section 332 of the Public Health Service Act (42 U.S.C. 254e).

#### § 23.2 Definitions.

As used in this subpart:

*Act* means the Public Health Service Act, as amended.

*Assigned National Health Service Corps personnel* or *Corps personnel* means health personnel of the Regular and Reserve Corps of the Public Health Service Commissioned Corps and civilian personnel as designated by the Secretary including, but not limited to, physicians, dentists, nurses, and other health professions personnel who are assigned under section 333 of the Act and this regulation.

*Health manpower shortage area* means the geographic area, the population group, the public or nonprofit private medical facility or any other public facility which has been determined by the Secretary to have a shortage of health manpower under section 332 of the Act and its implementing regulation (42 CFR part 5).

*National Health Service Corps site* means the entity to which personnel have been assigned under section 333 of the Act and this regulation to provide health services in or to health manpower shortage area.

*Nonprofit private entity* means an entity which may not lawfully hold or use any part of its net earnings to the benefit of any private shareholder or individual and which does not hold or use its net earnings for that purpose.

*Secretary* means the Secretary of Health and Human Services and any other officer or employee of that Department to whom the authority involved has been delegated.

#### § 23.3 What entities are eligible to apply for assignment?

Any public or nonprofit private entity which is located in a health manpower shortage area, or has a demonstrated interest in the shortage area, may apply for the assignment of National Health Service Corps personnel.

#### § 23.4 How must an entity apply for assignment?

(a) An application for the assignment of National Health Service Corps personnel must be submitted to the Secretary by an eligible applicant in the form and at the time prescribed by the